

UNITED STATES DISTRICT COURT W. D. OF WASHINGTON AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

Case No. MJ10-5012

v.

DETENTION ORDER

BERNARD CURTIS DAVIS,

Defendant.

THE COURT, having conducted a detention hearing pursuant to 18 U.S.C. §3142, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of the defendant as required and/or the safety of any other person and the community.

This finding is based on 1) the nature and circumstances of the offense(s) charged, including whether the offense is a crime of violence or involves a narcotic drug; 2) the weight of the evidence against the person; 3) the history and characteristics of the person including those set forth in 18 U.S.C. § 3142(g)(3)(A)(B); and 4) the nature and seriousness of the danger release would impose to any person or the community.

Findings of Fact/ Statement of Reasons for Detention

Presumptive Reasons/Unrebutted:

- ☐ Conviction of a Federal offense involving a crime of violence. 18 U.S.C. §3142(f)(A)
- ☐ Potential maximum sentence of life imprisonment or death. 18 U.S.C. §3142(f)(B)
- ☐ Potential maximum sentence of 10+ years as prescribed in the Controlled Substances Act (21 U.S.C. §801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. §951 et seq.) Or the Maritime Drug Law Enforcement Act (46 U.S.C. App. 1901 et seq.)

Safety Reasons:

- ☒ Defendant was on DOC supervision at the time of alleged occurrences herein..
- ☐ Defendant was on bond on other charges at time of alleged occurrences herein.
- ☒ Defendant's criminal history.
- ☒ History of failure to comply terms of supervision.

Flight Risk/Appearance Reasons:

- ☒ Potential maximum sentence of 15 year to life.
- ☐ Immigration and Naturalization Service detainer.
- ☐ Detainer(s)/Warrant(s) from other jurisdictions.
- ☐ Failures to appear for past court proceedings.
- ☐ Past conviction for escape.

The defendant may request a new detention hearing should new information become available or there be a change in circumstances.

Order of Detention without Prejudice

- ▶ The defendant shall be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal.
- ▶ The defendant shall be afforded reasonable opportunity for private consultation with counsel.
- ▶ The defendant shall on order of a court of the United States or on request of an attorney for the Government, be delivered to a United States marshal for the purpose of an appearance in connection with a court proceeding.

February 4, 2010.

s/Karen L. Strombom

Karen L Strombom, U.S. Magistrate Judge